

The Special/Study Meeting of the Troy City Planning Commission was called to order by Vice Chairman Storrs at 7:30 p.m. on November 4, 2003, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Dennis A. Kramer
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck
David T. Waller

Absent:

Gary Chamberlain
Lawrence Littman
Wayne Wright

Also Present:

Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Ronald Figlan, Planner
Amalfi Parker, Student Representative
Kathy Czarnecki, Recording Secretary

Resolution # PC-2003-11-041

Moved by: Schultz

Seconded by: Vleck

RESOLVED, That Messrs. Chamberlain, Littman and Wright be excused from attendance at this meeting.

Yes: All present (6)

No: None

Absent: Chamberlain, Littman, Wright

MOTION CARRIED

2. MINUTES

Mr. Schultz requested that the October 7, 2003 minutes reflect the following changes.

Page 6, paragraph 5, to read: "Mr. Schultz surmised from a recent Citizen Planner Program session that pedestrian scaled lighting could be a very effective means of achieving the pedestrian friendly scale on the sidewalk proposed for the Sterling Corporate Center PUD."

Page 6, paragraph 8, to read: "Mr. Strat and Mr. Schultz circulated a list of Oakland County cities that designates which City Planning Commissions do or do not have authority to grant final site plan approval."

Resolution # PC-2003-11-042

Moved by: Schultz

Seconded by: Strat

RESOLVED, To approve the October 7, 2003 Special/Study Meeting minutes as corrected.

Yes: Kramer, Schultz, Storrs, Strat, Waller

No: None

Abstain: Vleck

Absent: Chamberlain, Littman, Wright

MOTION CARRIED

Mr. Schultz requested that the October 14, 2003 minutes reflect the following change.

Page 17, discussion following the Resolution for Site Plan Review (SP 38-E), Lord & Taylor proposed addition to Oakland Mall, to include the following:

“Mr. Schultz requested information on specifically what the Traffic Engineer’s request was for the parking study for the Lord & Taylor site.”

Resolution # PC-2003-11-043

Moved by: Strat

Seconded by: Schultz

RESOLVED, To approve the October 14, 2003 Regular Meeting minutes as corrected.

Yes: All present (6)

No: None

Absent: Chamberlain, Littman, Wright

MOTION CARRIED**3. PUBLIC COMMENTS**

There was no one present who wished to speak.

4. PLANNING AND ZONING REPORT

Mr. Savidant reported on Council actions taken at its November 3, 2003 Regular Meeting.

Council Action Items

- *Zoning Ordinance Text Amendment for Section 12.50, R-1T One Family Attached Residential Districts (ZOTA #182)* – **Referred back to Planning Commission for further study**
- *Zoning Ordinance Text Amendment for Section 03.40, Site Plan Review / Approval (ZOTA #199)* – **Referred back to Planning Commission for further study**

The Planning Department will provide copies of the November 3, 2003 City Council meeting minutes with respect to the two ZOTA items.

5. BOARD OF ZONING APPEALS REPORT

Mr. Vleck reported on the October 20, 2003 BZA meeting. He reviewed four variance requests of interest to the Planning Commission.

It was discussed whether some requests for variances before the Board of Zoning Appeals that involve discretionary setbacks and square footage should be reviewed by the Planning Commission. Vice Chairman Storrs suggested that this matter could be a future study session item.

Mr. Savidant noted that the proposed zoning ordinance text amendment for Site Plan Review (ZOTA #199) would clarify some of these issues. He also noted that the Board of Zoning Appeals can place conditions on variances.

6. SUB-COMMITTEE REPORTS

CR-1

Mr. Savidant reported that comments received from Members Waller and Chamberlain on the first draft are being incorporated into a second draft.

Tree Preservation / Landscaping / Walls

Mr. Savidant reported that the sub-committee met with the City's Landscape Analyst to discuss general concepts. Proposed language is being drafted.

Mr. Kramer said he received from the City's Landscape Analyst a copy of the revised City's Landscape Design and Tree Preservation Standards.

Mr. Savidant noted that the Planning Department's intent is to have the site plan submittal process inclusive of a landscape plan and tree preservation.

Mr. Strat suggested that consideration be given to preserving clusters of trees and various sizes of trees in order to create an overall more natural and aesthetically pleasing environment.

Mr. Waller suggested that consideration be given to the notification process for all affected and/or interested parties.

Gateway / Beautification

Mr. Savidant noted that the gateway concept will be an item of discussion with respect to the proposed Sterling Corporate Center PUD project. The Planning Department will provide the Commission with copies of the proposed gateway concepts. Mr. Savidant reported that copies of the 1987 Urban Design Plan would be distributed to members of the Planning Commission and City Council.

A video titled *Back to the Future* purchased from the Walkable Communities, Inc. was discussed. It was the consensus of the Commission to view the video at the December 2, 2003 Special/Study Meeting.

Mr. Strat said he would do further research on the possibility of the Green Tree Conference group to give its presentation to the Commission.

Special Use

Mr. Savidant said there was nothing new to report.

Indoor Commercial Recreation

Mr. Savidant reported that the sub-committee is on hold until the Maple Road Corridor Study is completed.

7. REVIEW OF MICHIGAN SOCIETY OF PLANNING ANNUAL CONFERENCE 2003

Mr. Schultz said the MSP Conference was extremely informative and that his expectations were met. Mr. Schultz offered to provide a written report on the sessions he attended and a brief description of each.

Mr. Kramer highlighted two MSP sessions he found enlightening: (1) The Six Myths of Planning presented by urban planning professional, Dick Norton; and (2) the DTE utilities session.

Ms. Lancaster announced that the Planning Department has discussed being presenters at the next annual MSP Conference. Mr. Savidant suggested that Planned Unit Developments would be an effective presentation with respect to strengths and weaknesses; challenges and opportunities; lessons learned, etc.

8. REQUEST BY DAVID WALLER – ATTENDANCE AT MICHIGAN STATE UNIVERSITY LAND POLICY PROGRAM RETREAT

There was a brief discussion on this matter. It was noted by the Planning Department that the Education & Training budget item line has limited funds.

Mr. Schultz said it would be extremely beneficial for both the City of Troy and the Planning Commission to be represented at this function.

Resolution # PC-2003-11-044

Moved by: Schultz

Seconded by: Strat

RESOLVED, That the request by David Waller to attend the Michigan State University Land Policy Program Retreat on December 7 and 8, 2003 be granted.

Yes: All present (6)

No: None

Absent: Chamberlain, Littman, Wright

MOTION CARRIED

Mr. Vleck requested that Mr. Waller provide the Commission with a written summary of the retreat.

9. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 203) – Article 02.00.00 – Changes, Amendments and Approvals, edit text to replace Chapter 40 of the City Code (to be repealed) and include language regarding Voting Requirements

Ms. Lancaster reviewed the proposed text changes to the voting requirements.

It was the consensus of the Commission to move forward with the Public Hearing notification.

Ms. Lancaster confirmed that an additional Public Hearing would be required if major changes and/or modifications to the intent of any proposed zoning ordinance language were made at a Public Hearing.

Ms. Lancaster confirmed that the Public Hearing notification would clarify the reason that Chapter 40 would be repealed.

10. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 202) – Article 28.30.02 Outdoor Storage of Commercial and Noncommercial Vehicles in Light Industrial Zoning Districts

Mr. Savidant provided a first draft of the proposed zoning ordinance text amendment. Discussion was specifically held on Sections 28.30.02 (C), (D.2), (D.4) and (F) and if mini-warehouse or self-storage developments should be considered as Special Use requests. Mr. Savidant said that the Planning Director strongly recommends that the development requests continue to be Special Use because a higher level of scrutiny can be maintained for the developments.

Ms. Lancaster confirmed that Special Use requests provide the City and the Commission with the ability to put conditions on the use. She further encouraged that the definition of “Commercial Vehicle” be better defined.

Mr. Kramer suggested that consideration also be given to incidental sales and transient storage.

Mr. Savidant made note of the suggestions and will provide a second draft.

11. SITE PLAN REVIEW (SP 216-B) – Maggiano's Little Italy Restaurant, Proposed Restaurant Re-build, South Side of Big Beaver, East of Butterfield, Section 29 – O-S-C

Mr. Savidant gave a brief outline of the proposed site plan. Mr. Savidant cited that Section 26.25.01 of the ordinance requires that restaurants in the O-S-C be permitted "provided they are included in the office use structure or other principal structures...or are attached to such structures by means of a fully enclosed structural attachment, and therefore shall not be permitted as free-standing structures. Such secondary structures shall be designed so as to provide a logical extension of the floor plan of the principal structures, and shall utilize exterior materials similar to or harmonious with such principal structures". Mr. Savidant reported the applicant intends to meet the zoning standards as set forth in Section 26.25.01 and has provided material samples to the City. Various material samples were circulated.

Mr. Schultz referenced former developments, specifically Bahama Breeze restaurant, that have been approved and did not meet the same standards that the City is now requesting of the petitioner for Maggiano's.

Discussion followed with respect to ordinance requirements and their intent and relationship with current developments.

Jim Powell of GHA Architects, 14110 Dallas Parkway, Dallas, Texas, was present to represent the petitioner. Mr. Powell said that Maggiano's, a high-end Italian restaurant, has chosen Troy as its first location in Michigan. Mr. Powell said that Maggiano's is willing to work with the Planning Department to meet all standards. He noted that the plan completes the sidewalks along Todd and Butterfield and landscaping will be brought up to conformance.

Ms. Lancaster stated that Section 26.25.01 of the ordinance is vague enough to allow the Planning Commission flexibility in its determination whether the proposed plan meets the required zoning standards.

The petitioner received positive feedback from the members.

12. REQUEST FOR PROPOSED REZONING – City of Sterling Heights, Sterling Land Investors, LLC (City File Z-1057), Southeast corner of 19 Mile and Dequindre Road, from R-100 to C-1

Resolution # PC-2003-11-045

Moved by: Strat

Seconded by: Schultz

RESOLVED, That the City of Troy Planning Commission has no objection to the City of Sterling Heights proposed rezoning requested by Sterling Land Investors, LLC (City File Z-1057) for the property located on the southeast corner of 19 Mile and Dequindre Roads from R-100 to C-1 and further that the City of Troy Planning Commission believes the rezoning request is consistent with the zoning of the City of Troy.

Yes: All present (6)
No: None
Absent: Chamberlain, Littman, Wright

MOTION CARRIED

13. DISCUSSION OF FINAL SITE PLAN REVIEW PROCESS

Mr. Savidant noted the distinction of preliminary site plans, final site plans and engineering site plans among the various communities.

Ron Figlan presented a thorough review of the City of Troy's final site plan review process. Mr. Figlan's presentation was followed by a question and answer session.

Mr. Strat referenced Harrison Township's site plan approval procedure, and stated creativity of the developer should not be stymied, nor should additional burdens be placed on the developer.

Discussion followed with respect to revising some ordinances to incorporate suggestions for the site plan review process.

14. SELECTION OF REPRESENTATIVES TO THE TRI-PARTY INTEREST BASED BARGAINING SUB-COMMITTEE

Mr. Savidant noted that the Tri-Party Interest Based Bargaining Sub-committee is considering holding their meetings during regular business hours, and also noted that the City Attorney is looking into the matter of standing committees.

The Planning Commission requested that the charge of the sub-committee be defined.

Mr. Waller stated that some thought should be put into how the sub-committee should be organized and its processes and its bylaws should be documented; i.e., committee name, legal opinion.

Resolution # PC-2003-11-046

Moved by: Schultz

Seconded by: Vleck

RESOLVED, That the selection of representatives to the Tri-Party Interest Based Bargaining Sub-Committee be tabled until there is full input from the Planning Commission.

Yes: All present (6)

No: None

Absent: Chamberlain, Littman, Wright

MOTION CARRIED15. **REVIEW OF NOVEMBER 11, 2003 REGULAR MEETING**

November 11, 2003 regular business items discussed were:

- Site Plan Review for proposed Wattles Ridge Site Condominiums
- Rezoning Request for Proposed Retail Development, south side of Long Lake, west of Rochester Road, R1-T to B-2
- Rezoning Request for Proposed Retail Development, south side of Maple, east side of Axtell, M-1 to B-3

16. **PUBLIC COMMENT** – Items on Current Agenda

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Vleck announced that the City of Mt. Clemens has suspended all site plan approval requests for a period of six months during which time the City is reviewing their Master Land Use Plan.

Mr. Schultz wished to make it clear to the professional representatives present that his comments tonight with respect to Maggiano's Restaurant were not directed at them personally, but merely expressions of his observation on how the ordinance has or has not been enforced throughout history and his frustration with that.

Mr. Schultz said that on October 7, 2003 the Planning Commission sent an advisory recommendation to the City of Rochester Hills with respect to the proposed Planned Unit Development, Historic Lorna Stone Village, located on the northeast corner of Adams and South Boulevard. He made the following motion.

Resolution # PC-2003-11-047

Moved by: Schultz

Seconded by: Strat

RESOLVED, That the City of Troy Planning Commission reconsider the City of Rochester Hills' proposed Historic Lorna Stone Village located on the northeast corner of Adams Road and South Boulevard for the purpose of allowing the applicant to provide a presentation to this body detailing the project and our reconsideration of our advisory position on that matter.

Yes: Schultz, Storrs, Strat, Vleck, Waller

No: Kramer

Absent: Chamberlain, Littman, Wright

MOTION CARRIED

Mr. Kramer said the Planning Commission based its decision on the information provided in its packet and for the same reasons as cited at that meeting, he believes the Planning Commission's recommendation should stand.

Ms. Lancaster announced that the next regular business meeting, November 11, will be her last meeting with the Planning Commission. The Legal Department is rotating responsibilities. The Planning Commission will be assigned to Assistant City Attorney Allan Motzny and the Board of Zoning Appeals will be assigned to Ms. Lancaster.

All members expressed their appreciation to Ms. Lancaster

Mr. Savidant and all members thanked City Planner, Ron Figlan, for his presentation on the final site plan process.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:20 p.m.

Respectfully submitted,

Walter Storrs, Vice Chairman

Kathy L. Czarnecki, Recording Secretary